

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12476, of National Capital Housing Authority, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.46 to continue a community market retail grocery store in the R-5-B District at the premises 2301 - 11th Street, N.W. (Square 2864, Lot 332)

HEARING DATE: September 21, 1977

DECISION DATE: September 21, 1977 (From the Bench)

FINDINGS OF FACT:

1. The subject property is located at 2301 - 11th Street, N.W., in an R-5-B District.
2. The applicant seeks permission to continue a community retail grocery store.
3. By Board of Zoning Adjustment Order No. 10642, dated January 25, 1971, the Board granted permission to establish a community grocery store at the subject location. Approval was for a period of three years. By BZA Order No. 11586, dated April 17, 1974, the Board granted approval for an additional three years.
4. The Board waived the requirements of Section 3.33 of the Supplemental Rules of Practice and Procedure which requires the applicant to file an affidavit not less than five days prior to the public hearing demonstrating that the applicant has posted the required sign on the subject property. The property was properly posted in accordance with the regulations.
5. The community grocery, known as the Garfield-Sunflower Market, is operated for the benefit of the senior citizen residents of the apartment building known as Garfield Terrace, in which it is located and is a community market.

6. This grocery also serves as a training site for community senior youth aides, adult assistants and junior youth aides all of whom received all phases of education in marketing.

7. The store is run as a non-profit enterprise and receives funds from the D.C. Department of Housing and Community Development through the Office of Economic Opportunity.

8. The store operates from 9:00 A.M. until 2:00 P.M., five days a week.

9. The store is located in an area which has no major food stores within walking distance for senior citizens.

10. The store occupies a vacant laundry room in the first basement level of a nine story apartment building. The exterior access is not visible from adjoining or neighboring properties and is adjacent to a parking lot. The National Capital Housing Authority provides the space free of charge.

11. The Municipal Planning Office by report, dated September 14, 1977, recommended the approval of the application for three years.

12. There was no opposition to the application and no complaints were received by the store since the last time the application was before the Board.

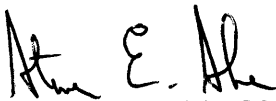
CONCLUSIONS OF LAW:

Paragraph 3104.46 of the Zoning Regulations permits, by special exception, temporary community service centers design to improve the well being of neighborhood residents. Such a center is permitted provided that it is so located as not to become objectionable to neighboring properties, that no structural changes other than those required by law shall be made, that the use will be reasonably necessary or convenient to the neighborhood and that such center is not organized for profit.

Based on the record the Board concludes that all of the requirements of Paragraph 3104.46 have been met. The Board finds that the subject store provides a valid service to the residents of Garfield Terrace and one which if not available would exacerbate the difficulties the senior citizens face in finding adequate shopping facilities. The Board further concludes that the store creates no adverse affect on the neighborhood. Accordingly, it is hereby ORDERED that the application is GRANTED for a period of three (3) years.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Chloethiel Woodard Smith and Leonard L. McCants to GRANT).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
STEVEN E. SHER
Executive Director

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF ORDER: 27 OCT 1977